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13 **UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **OAKLAND DIVISION**

16 IN RE: SOCIAL MEDIA ADOLESCENT
17 ADDICTION/PERSONAL INJURY
18 PRODUCTS LIABILITY LITIGATION

19 THIS DOCUMENT RELATES TO:

20 *YouTube, LLC and Google LLC*

21 4:23-cv-05448-YGR

) MDL No. 3047
) CASE NO.: 4:22-md-03047-YGR
)

) **JOINT STIPULATION AND**
) **[PROPOSED] ORDER ON (1)**
) **PRODUCTION OF CUSTODIAL**
) **FILES FROM JENNIFER FLANNERY**
) **O’CONNOR AND K.K., (2)**
) **REQUESTS FOR PRODUCTION SET**
) **12, AND (3) NON-CUSTODIAL**
) **SOURCES**

) Honorable Yvonne Gonzalez Rogers
) Honorable Peter H. Kang
)

1 **I. Stipulation Regarding Production of Custodial Files of Jennifer Flannery**
2 **O'Connor and K.K.**

3 Pursuant to the Court's April 4, 2025 Order Resolving Dispute Regarding YouTube's
4 Amended Rule 26(a) Initial Disclosures (ECF No. 1840), Defendants Google and YouTube and
5 Plaintiffs have resolved their dispute regarding the production of documents from the custodial
6 files of Jennifer Flannery O'Connor and K.K. (ECF No. 1803).

7 After meeting and conferring, the Parties have agreed upon a set of search terms to be used
8 to cull documents for review for each custodian. The Parties further stipulate to a May 30, 2025,
9 deadline for YouTube to complete a rolling production of documents from Jennifer Flannery
10 O'Connor's and K.K.'s custodial files.

11 **II. Stipulation Regarding Production of Documents Responsive to RFP Set 12**

12 Pursuant to Civil Local Rules 6-1(b), 6-2, 37-3, the parties, through their undersigned
13 counsel, hereby stipulate and respectfully request that the Court extend the deadline for Plaintiffs
14 and Defendants Google, LLC and YouTube, LLC ("Defendants") to complete certain fact discovery.

15 WHEREAS, pursuant to the Court's discovery schedule, fact discovery concluded on April
16 4, 2025;

17 WHEREAS, up until April 10, 2025, the parties were meeting and conferring on a dispute
18 as to RFP No. 163, which requested:

19 All Documents and Communications regarding Your development, design,
20 policies, procedures, implementation, or any proposed versions thereof, of the
21 "machine learning [You will use] in 2025 to help [You] estimate a user's age –
22 distinguishing between younger viewers and adults – to help provide the best and
23 most age appropriate experience and protections," referenced in a February 11,
24 2025 announcement from YouTube CEO Neal Mohan. See
25 <https://blog.youtube/inside-youtube/our-big-bets-for-2025/>.

26 WHEREAS, on the evening of April 10, 2025, the Parties were able to reach agreement as
27 to the scope and timing of production of responsive documents to RFP No. 163, thereby negating
28

1 the need to file a Joint Letter Brief, but also necessarily contemplating fact discovery production
2 beyond the Court's fact discovery deadline;

3 NOW and THEREFORE, the Parties stipulate and agree, subject to the approval of the
4 Court, that the time to complete production of documents in response to RFP No. 163 will be as
5 follows:

- 6 1. Production of responsive documents to RFP No. 163 from the custodial file of Neal
7 Mohan will be by April 21, 2024; and,
- 8 2. Production of responsive documents to RFP No. 163 from the custodial file of J.B. will
9 be by May 30, 2025.

10 The Parties agree that the requested extensions herein will not affect any other deadline
11 affixed by the Court.

12 **III. Stipulation Regarding the Production of Documents from Non-Custodial Sources**

13 Pursuant to Civil Local Rules 6-1(b) and 6-2, the parties, through their undersigned
14 counsel, hereby stipulate and respectfully request that the Court extend the deadline for Plaintiffs
15 and Defendants Google, LLC and YouTube, LLC ("Defendants") to complete certain fact
16 discovery.

17 WHEREAS, despite the parties' best efforts and diligence to resolve all fact discovery
18 issues before the April 4, 2025 deadline, certain discovery issues were not complete and/or ripe
19 for briefing by April 4, 2025. Accordingly, Plaintiffs and Defendants have mutually agreed to
20 schedule the following:

21 With respect to YouTube's production from non-custodial sources, YouTube's production
22 from certain non-custodial sources has not yet been completed and, for one or more non-custodial
23 sources, is anticipated to continue following the close of fact discovery. Accordingly, the parties
24 propose the following:
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- 1 A. YouTube will complete its production from the F Source under the terms of the Parties’
2 agreement by May 1, 2025.
- 3 B. YouTube will complete its production from the A Source under the terms of the Parties’
4 agreement by May 1, 2025.
 - 5 1. If Plaintiffs identify the agreed-upon R Source links within 7 days of completion
6 of production of the A Source, YouTube will complete its production of
7 identified R Source hyperlinks from the A Source under the terms of the Parties’
8 agreement by within 14 days of Plaintiffs’ identification of the R Source links.
9
- 10 C. YouTube will complete its production from the L Source under the terms of the Parties’
11 agreement by May 1, 2025.
- 12 D. YouTube has completed its production of csv files from the B Source under the terms of
13 the Parties’ agreement. If Plaintiffs provide the agreed-upon list of individual tickets by
14 April 16, per the Parties’ agreement, YouTube will complete its production of identified
15 individual tickets by May 12, 2025.
- 16 E. YouTube will complete its production from the M Source under the terms of the Parties’
17 agreement by May 15, 2025.
- 18 F. To the extent there is a dispute with respect to YouTube’s completed production from a
19 particular non-custodial source, the parties will need time to review and determine any
20 deficiencies in the production, and the parties therefore agree to extend the deadline to
21 file a Joint Letter Brief with respect to that source as follows:
 - 22 1. May 7, or 4 business days after final productions from any source completed
23 after May 1: Plaintiffs identify deficiencies with particularity in writing,
24 including the relief that Plaintiffs would seek in any subsequent briefing;
 - 25 2. 3 business days later: YouTube responds in writing to Plaintiffs’ deficiencies;
 - 26 3. 3 business days later: H2 conference regarding the specified deficiencies;
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4. 5 business days later: Any joint letter brief filed in connection with the specified deficiencies and the relief sought.

G. The Parties have agreed to finalize a stipulation regarding the authenticity and admissibility of YouTube's productions from the F Source, L Source, A Source, B Source, and M Source upon their completed production. The Parties have further agreed that this stipulation shall include:

1. Confirmation that each production is a true and correct copy of records of regularly conducted activity under Fed. R. Evid. 803(6);
2. Exhibits thereto (which are to be filed under seal) setting forth as to each source certain agreed-upon details regarding search methodology and the resulting productions.

H. To the extent there are disputes with regard to the stipulation described in section G, the parties agree that such disputes will be briefed as a part of any Joint Letter Brief contemplated under section F.

The parties agree that the requested extensions herein will not affect any other deadline affixed by the Court.

IT IS SO ORDERED

Dated:

Hon. Peter H. Kang
United States District Court Magistrate Judge

Respectfully submitted,

Dated: April 11, 2025

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ATTESTATION

I hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: April 11, 2025

/s/ Audrey Siegel
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